

CTJ/RMT
ORIGINAL

FILED
U.S. DISTRICT COURT
NORTHERN DIST. OF TX.
FT. WORTH DIVISION

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

2009 MAY -1 PM 3:55

CLERK OF COURT

RAYMOND KEITH SONGER, CROX §
ALVARADO, VICTOR ARRINGTON, §
GEORGE E. EATON, JR., DANIEL §
GARCIA JR., DEBRA SUE §
GARRISON, JOSE RAMON §
GUILAMO, LARRY HAZELTON, §
ANTRONE HENDERSON, SANDRA §
K. HENDERSON, DANIEL CLINTON §
HENLEY, JEFFERY G. HINES, §
JOHNNY ROBERT JARVIS, EDDIE §
JONES, ERIC C. MATTHEWS, §
BRIAN ALAN MCGLOTHLIN, §
KAREN SUE PARENT, MONICA §
LENISE PERVIS, BRENT UNDR §
ROBERSON, BOBBY JOE §
SCHRODER, JOSHUA ANDREW §
VAN PATTEN, COURTLAND DALE §
WALLACE, AND PERRY SCOTT §
WIGGINS individually and on behalf §
of other employees similarly situated §

Plaintiffs

v.

DILLON RESOURCES, INC., §
SUNSET LOGISTICS, INC., MIKE §
HILL, Individually, and RICK §
GIBSON, Individually §

Defendants

CIVIL ACTION NO. 4:08-cv-00319 -A

JURY TRIAL DEMANDED

PLAINTIFFS' SUPPLEMENTAL DESIGNATION OF EXPERT WITNESS

In addition to the experts on attorneys' fees who were already designated, Plaintiffs designate the following expert witness to testify in a trial of this matter:

I.

1. Dr. Dwight Steward
6500 River Place Blvd.,
Bldg. 5, Suite 202, Lock Box 8
Austin, Texas 78730
Phone: 512-476-3711
Fax: 512-476-9712
dsteward@employstats.com
www.employstats.com

Dr. Steward is expected to testify concerning the calculation of Plaintiffs' unpaid overtime, based on information regarding the hours of work and rates of pay provided by the parties. The curriculum vitae of Dr. Steward is attached as Exhibit A. The initial expert report of Dr. Steward is attached as Exhibit B.

II.

Further, Plaintiffs may introduce testimony and/or records, including any employment records from any experts who have been identified, or who in the future is identified, as an expert witness by Defendants.

III.

Plaintiffs reserve the right to call undesignated rebuttal expert witnesses whose testimony cannot be reasonably foreseen until the presentation of the evidence against Plaintiffs.

IV.

Plaintiffs further reserve the right to expand reasonably the scope of the opinions and testimony of the above named experts as necessary and/or appropriate and as may be developed during any deposition or trial testimony given herein.

V.

Plaintiffs further reserve the right to designate additional experts and or provide reports at a later date, if necessary and/or appropriate, upon receipt of more complete compensation records and compensation related documents from Defendants and more detail as to the opinions and testimony of experts designated by Defendants.

VI.

Plaintiffs further reserve the right to supplement the information contained in Plaintiffs' Designation of Expert Witnesses as necessary.

Respectfully submitted,

By: 

David M. Glenn
Texas Bar Number: 08028350

Glenn Law Firm
210 W. Wall Street
Grapevine, Texas 76051

Telephone: (817) 424-5999

Facsimile: (817) 481-3240

T. Michael Kennedy
Texas Bar Number: 24014809

T. Michael Kennedy, P.C.

210 West Wall Street
Grapevine, Texas 76051

Telephone: (817) 424-5888

Facsimile: (817) 424-5889

Trang Q. Tran
Texas Bar Number: 00795787

Andrew H. Iwata
Texas Bar Number: 24048568

Tran Law Firm, L.L.P.
3050 Post Oak Boulevard, Suite 1720

Houston, Texas 77056

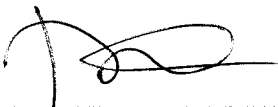
Telephone: (713) 223-8855

Facsimile: (713) 623-6399

ATTORNEYS FOR PLAINTIFFS

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing was served on Defendants on May 1, 2009, by the means indicated below:



Signature

(Via E-Mail)

Kevin M. Duddleston
Jeremy W. Hawpe
Kimberly Rives Miers
LITTLER MENDELSON, P.C.
2001 Ross Avenue, Suite 1500, Lock Box 116
Dallas, Texas 75201

(Via E-Mail)

R. Shawn Oller
LITTLER MENDELSON, P.C.
2425 E. Camelback Road, #900
Phoenix, AZ 85016

ATTORNEYS FOR DEFENDANTS

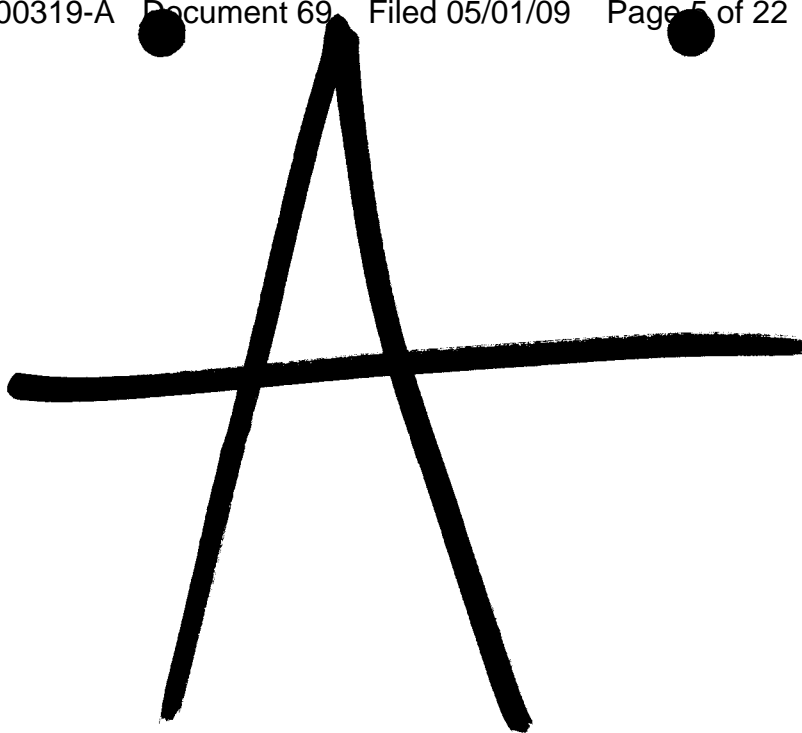


EXHIBIT "A"

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

RAYMOND KEITH SONGER, CROX)
ALAVARADO, VICTOR ARRINGTON,)
GEORGE E. EATON, JR., DANIEL)
GARCIA JR., DEBRA SUE GARRISON,)
JOSE RAMON GUILAMO, LARRY)
HAZELTON, ANTRONE HENDERSON,)
SANDRA K. HENDERSON, DANIEL)
CLINTON HENLEY, JEFFERY G. HINES,)
JOHNNY ROBERT JARVIS, EDDIE JONES,)
ERIC C. MATTHEWS, BRIAN ALAN)
MCGLOTHLIN, KAREN SUE PARENT,)
MONICA LENISE PERVIS, BRENT UNDR)
ROBERSON, BOBBY JOE SCHRODER,)
JAMES B. TODD, JOSHUA ANDREW)
VAN PATTEN, COURTLAND DALE)
WALLACE, AND PERRY SCOTT WIGGINS)
individually and on behalf of other)
employees similarly situated)

Plaintiffs)

v.)

DILLON RESOURCES, INC.,)
SUNSET LOGISTICS, INC., MIKE HILL,)
Individually, and RICK GIBSON, Individually)

Defendants)

CIVIL ACTION
FILE NO. 4:08-cv-00319-A

Expert Report

Dwight D. Steward, PH.D.

May 1, 2009

1. I am an economist and statistician. In this case I have been retained by Tran Law Firm LLP to provide an economic analysis.

2. As an economist and statistician, I have provided consultation, reports, and expert witness testimony on statistical and economic issues involving employment and labor market discrimination, wage and hour violations, and economic damages in both litigation and non-litigation settings. I have served as an expert witness and consultant in federal and state court wage and hour cases in the states of California, Georgia, Texas, Illinois, New Jersey, New York, Louisiana, and Pennsylvania. In addition to serving as a consultant and expert witness, I have also held teaching positions in the Department of Economics at the University of Texas at Austin, the Red McCombs School of Business at the University of Texas at Austin and in the College of Business Administration at Sam Houston State University. In my teaching positions, I taught numerous courses in statistics, economics, and corporate finance. My full curriculum vita is attached to this report.

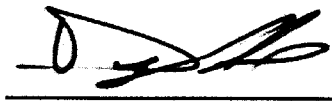
3. I have been asked to calculate the unpaid overtime damages in this case. It is my understanding that the plaintiffs' in this lawsuit allege that they are owed unpaid overtime wages due to the defendant's non-payment of overtime for hours worked beyond 40 each week. It is my understanding that the plaintiffs in this case provided truck driving services between local rock and sand sources and local cement factories.

4. On April 15, 2009, I was retained by the Tran Law Firm LLP and received initial documents and case information on April 30, 2009. I have been provided (1) The Plaintiff's Original Collective Action Petition, (2) Sworn Declaration of Raymond Keith Songer, (3) Settlement sheets, (4) eDriver logs, (5) pay statements, and (6) plaintiff prepared spreadsheets of the estimated hours worked, and the (7) Defendant's Sixth Supplemental Disclosure Statement.

5. To date, I have not had the opportunity to review, analyze or study the information that has been provided to me. It is my understanding that the defendants have previously agreed to provide additional information in this case. It is my intention to supplement this report after I have had the opportunity to study the information, data, and facts in this case.

6. In my supplemental analysis, I anticipate utilizing the data that has been provided, additional data that will be provided by defendants, and/or relevant outside data in the calculation of the alleged unpaid overtime hours.

Executed on May 1, 2009.

A handwritten signature in black ink, appearing to read 'D. Steward', is written over a horizontal line.

Dwight D. Steward

Exhibit A

Number Description

- 1 Plaintiffs Original Collective Action Complaint
- 2 Songer Declaration
- 3 Pay Statements Bates Stamped: Songer 1806,1299-1300, 2434, 2257-2258, 2371-2375
- 4 eDriver Logs for Raymond Songer, Selected days November 12, 2007 to July 22, 2008, DEF 008083 - DEF 008459
- 5 eDriver Logs for select employees on select days from November 11, 2007 to July 22, 2008, DEF 001356 - DEF 010594
- 6 Settlement Sheets for select drivers on select days, Bates stamped DEF 000001 - 000436; 000451-000482;000519-000875;000907-001049;001171-001349;012310-012446;012346-012377
- 7 Plaintiff prepared spreadsheets of estimated hours worked for Alvarado, Arrington, Eatom , Garcia, Garrison, Guilamo, Hazelton, Henderson, Henly, Jarvis, Jones, Matthews, Parent, Pervis, Songer, Van Patten, Wallace, Wiggins
- 8 Updated plaintiff prepared spreadsheets of estimated hours worked for Alvarado, Arrington, Eatom , Garcia, Garrison, Guilamo, Hazelton, Henderson, A. , Henderson S., Henly, Jarvis, Jones, Matthews, Mcglothin, Parent, Pervis, Schoeder, Songer, Van Patten, Vasquez, Wallace, Wiggins
- 9 Settlement Sheets for Jarvis from June, July, and August 2008
- 10 Defendant's Sixth Supplemental Disclosure Statement

B

EXHIBIT "B"



Economic & Statistical Research
Employment | Wage & Hour | Damages | Police Conduct



Dwight Steward, Ph.D.
Economist and Statistician

Dr. Dwight Steward is an expert in statistical and economic analysis of labor and employment related issues. He has experience in consulting and litigation involving employment discrimination and wage and hour matters —on behalf of both defendants and plaintiffs.

Dr. Steward has also developed and implemented innovative methodologies to assist attorneys in the assessment of economic damages in cases involving death or catastrophic injury. As an expert witness, he has authored hundreds of expert reports, been deposed in over 130 cases and testified in over 40 trials. He has also testified in hearings, arbitrations, city council meetings, and before the Texas state legislature.

Dr. Steward writes regularly on employment related issues and frequently speaks to economic and legal professional groups. Dr. Steward's research on the statistical analysis of police racial profiling has received national attention.

In addition, Dr. Steward previously taught in the Department of Economics and the Red McCombs School of Business as the University of Texas at Austin and at Sam Houston State University. He taught numerous courses in economics, statistics, and corporate finance and was voted the teacher of the year by UT's largest business and professional organization.

EDUCATION

Ph.D., Economics, University of Iowa

B.A., Economics, University of Texas at Austin; earned U.S. Army Officer Commission – Field Artillery

SELECTED WRITINGS AND PRESENTATIONS

Employment Discrimination and Wage and Hour Analysis Sessions Chairperson, Western Economic Association International Meetings, Seattle, Washington, 2007

Labor and Employment Law CLE Conference, Speaker, University of Texas Law School, Austin, Texas, 2008

Labor and Employment CLE, Speaker, Defense Research Institute (DRI), Chicago, Illinois, 2005

"Evaluating the Statistical and Economic Significance of Statistical Evidence in Employment Discrimination Cases, Expert Evidence Report, BNA, Inc. Vol. 5, No. 5; p. 117-119; 2005

"Back Pay and Front Pay Calculations in Employment Termination Cases: Accounting for Re-Employment and Mitigation Efforts" (Joint with Stephanie Botello), 2008, Available at Social Science Research Network: <http://ssrn.com/abstract=1218642>

"Lies, Damn Lies, and Statistics: A View from a Statistical Expert", Texas State Bar Advanced Employment Law CLE Chapter 13.1, 2003

Expert witness testimony list, full listing of speaking engagements, and writings available on request

INVITED PRESENTATIONS AND PUBLIC SPEAKING ENGAGEMENTS

UTCLE The 15th Annual Labor and Employment Law Conference, Austin, Texas, May 29-30, 2008

NAACP 71st Texas Annual meeting, "Police Use of Force and Racial Profiling Panel Discussion" McAllen, Texas, October 12, 2007

Western Economic Association International, Chairperson of Employment Discrimination and Wage and Hour Analysis Sessions, Seattle, Washington, June 29 – July 1, 2007

UT School of Law 14th Annual Employment Law CLE, Presented with Stephanie Botello, "Calculating, proving, and mitigating damages involving re-employment", Austin, Texas, May 17, 2007

Iowa Economic Alumni Workshop, Tippie College of Business, "How Long do Mexican Migrants Work in the U.S.?", Iowa City, Iowa, April 21, 1007

Trialsmith CLE webinar series, "Calculating economic damages in injury and death cases", February 8, 2007

American Economic Association Annual *Meeting*, Session Chairperson, "Economic issues in estimating damages in commercial and personal injury cases", Chicago, Illinois, January 6, 2007

MADD National Diversity Forum II, speaker for "Profiling to Behavior" a moderated panel discussion, Dallas, Texas, May 16 – 18, 2006

Academy of Economics and Finance meeting, presented "Valuing employee stock options grants in litigation", Houston Texas, February 10, 2006

American Economic Association annual meeting, presented "Estimating the work life expectancy of undocumented Mexican migrant workers", Boston, Massachusetts, January 2006

DRI 2005 annual meeting, speaker for employment law "Lies, Damn Lies, and Employment Statistics, Chicago, Illinois, October 21, 2005

Labor and Employment Roundtable, sponsored by Texas Lawyer, August 31, 2005

Austin Business District Roundtable, 'Economic Roundtable on the Future of the Austin and Texas Economy, July, 2005

Iowa Alumni Workshop, Department of Economics, Tippie College of Business: "Economics and economists in the U.S. legal system: A view from the trenches", University of Iowa, April, 2005

Police Executive Research Forum: "Data Analysis Guidelines for Poststop Analyses", Las Vegas and Kansas City; 2004

Texas State Capitol Media Press Conference –Study Release, Topic: "An Examination of Consent Searches and Contraband Hit Rates at Texas Traffic Stops", Austin, Texas, 2005

Police Executive Research Forum, Racial Profiling Meeting: Denominator Conference, "Use of census data to measure racial disparities in traffic stops", Las Vegas, Nevada, 2004

Austin City Council Meeting, West University Area Rezoning, "Rezoning Austin's West Campus, A Unique Opportunity for Smart Growth, Austin, Texas, 2004

African-American Economic Legislative Forum, Host by Rep. Senfronia Thompson, Roundtable Speaker, Texas State Capital, Austin, Texas, 2004

North Texas Police Racial Profiling Conference, The University of Texas at Arlington, Center for Mexican American Studies, "The 2002 Racial Profiling Data Revisited: A Look to the Future", Arlington, Texas 2004

NAACP and LULAC Police-Community Town Hall Meeting, "A Look at Police Racial Profiling Statistics in Fort Worth, Fort Worth, Texas, 2004

NAACP and LULAC Police-Community Town Hall Meeting, "A Look at Police Racial Profiling Statistics in Beaumont, Beaumont, Texas, 2004

NAACP and LULAC Police-Community Town Hall Meeting, "A Look at Police Racial Profiling Statistics in Houston, Houston, Texas, 2004

Texas State Capitol, Sen. Royce West Legislative Roundtable of Police Racial Profiling Data Collection and SB 1074, Roundtable Speaker, Austin, Texas, 2004

Police-Community Relation Forum, "A Preliminary Look at Racial Profiling in Texas and the Huntsville Area", Huntsville, Texas, 2003

Economic Issues in the African-American Forum, "The Roots of African-American Economic Progress", Radio Program, KAZI, Austin, Texas 2003

Texas State Bar Advanced Employment Law CLE Seminar Topic: "Lies, Damn Lies, and Statistics", Houston, Texas, 2003

Haynes and Boones, LLP, Presentation, Topic: "Use and [Misuse] of economics in economic damage calculations", Austin, Texas, 2002

Texas Police Chief Forum on Racial Profiling, "Using Search Data and Stop Data to Measure Racial Profiling", University of Texas at Austin, Austin, Texas, 2002

Texas State Capitol Press Conference -Study Release, Topic: "Selecting racially balanced Texas Juries", Austin, Texas, 2003

Texas State Capitol, Press Conference-Study Release, Topic: "Cost savings and efficiency in the Texas State Criminal Justice System", Austin, Texas, 2003

PowerCenter, Presentation, Topic: "Drug treatment programs and cost savings in Texas", Houston, Texas, 2003

Texas State Senate Chambers, Presentation, Topic: "*Statistical analysis of police racial profiling data*", Austin, Texas 2001

This Week with Senator West, Television show, Roundtable Discussion, Topic: "*Detecting racial profiling*", Austin, Texas 2001

Texas State Capitol, Media Press conference, Topic: "*Release of NAACP police racial profiling study*", Austin, Texas, 2000

College of Business Administration, Sam Houston State University; Huntsville, Texas, Presentation, Topic: "*Lending discrimination*", Huntsville, Texas 1998

Federal Reserve Bank of Chicago; Moderator, Topic: "*Detecting Lending Discrimination in Credit Markets*", Chicago, Illinois, 1997

Federal Reserve Board., Presentation, Topic: "*Bank mergers and managerial*", Washington D.C., 1995

PUBLIC TECHNICAL REPORTS, PUBLICATIONS AND WORKING PAPERS

"Back Pay and Front Pay Calculations in Employment Termination Cases: Accounting for Re-Employment and Mitigation Efforts" (Joint with Stephanie Botello), 2008, Available at Social Science Research Network: <http://ssrn.com/abstract=1218642>

Economic Damages Primer for Attorneys: The building blocks for valuing economic damages in personal injury, wrongful death, medical malpractice, and products liability cases, (Joint with Charles Mahla, Ph.D., Michael Sadler, Ph.D., Chad Shirley, Ph.D., Doug Berg, Ph.D., et al.), Econ One Research, Inc., September 2007

"How Long do Mexican Migrants Work in the U.S.?" (Joint with Amy Raub and Jeannie Elliott), Journal of Forensic Economics, Volume XIX No. 2

"Evaluating the Statistical and Economic Significance of Statistical Evidence in Employment Discrimination Cases, Expert Evidence Report, The Bureau of National Affairs, Inc. Vol. 5, No. 5; p. 117-119; March 7, 2005 and March 23, 2005

"Racial Differences in Interest Rates", Midwestern Business and Economic Review, p. 9 – 24, Number 34 Fall 2004

"Lies, Damn Lies, and Statistics: A View from a Statistical Expert", Texas State Bar Advanced Employment Law CLE Chapter 13.1, 2003

"Evaluating Statistical Evidence in Employment Discrimination Cases, Expert Evidence Report, Bureau of National Affairs, p. 117-119.

"An Examination of Consent Searches and Contraband Hit Rates at Texas Traffic Stops", (Co-Authored) Technical Report Prepared for NAACP, LULAC, and Texas Criminal Justice Reform Coalition 2005

"Racial Profiling: Texas Traffic Stops and Searches; A first look at the nation's most comprehensive racial profiling dataset", (Co-Authored) Technical Report Prepared for NAACP, LULAC, and Texas Criminal Justice Reform Coalition, 2004

"Re-Zoning Austin's West Campus: A Unique Opportunity for Smart Growth", Technical Report Prepared for the University Area Partners, 2004

"Drug Treatment Programs and Cost Savings in the Texas State Criminal Justice System", Technical Report Prepared for Justice Policy Institute and NAACP Voter Fund, 2003

"A Statistical Methodology to Help Courts Select Racially Balanced Texas Juries", Technical Report Prepared for the NAACP, 2003

"A re-examination of police racial profiling using the Becker model of discrimination", co-authors Doug Berg and John Maroney, Working paper, 2002

"A Fixed-Effects Discrete Choice Model of Racial Profiling in Police Vehicle Searches", Working Paper, 2002

"A Preliminary Examination of Racial Profiling in Texas: A look at Police Search Rates in Texas", (Co-Authored), Technical Report Prepared for the NAACP, 2000

"A Note: Bootstrap Standard Errors and Confidence Intervals for Weak Axiom of Cost Minimization (WACM) Based Managerial Efficiency Estimates", Published Applied Economics Letters V.2., 1998

"Bank Mergers and Cost Efficiency", PHD Dissertation, University of Iowa, 1995

"Racial differences in interest rates: a cluster analysis approach", co-authors Doug Berg and Donald Bumpass (SHSU) (2002), Paper accepted for presentation at Economics and Finance Association February 2003 meeting in Savannah, Georgia.

Expert witness testimony list

James J. Byerlotzer v. Key Energy Services, Inc., In The District Court Of Harris County, Texas 55Th Judicial District, deposition testimony March 2009

David Liszt and Karen Liszt v. Richard B. Stovall, MD.; Luis Mignucci, MD., Individually and d/b/a Luis Mignucci, MD., P.A., and d/b/a NeuroSpine Surgical Consultants; and Medical Center of Plano; In the 219' District Court of Collin County, Texas, deposition testimony March 2009

Marie Popek, Individually and on Behalf of Those Similarly Situated, vs. AlliedBarton Security Services LLC, a Delaware Limited Liability Company; AlliedBarton Security Services LP, a Delaware Limited Partnership; and DOES 1 through 30, inclusive, Superior Court of the State of California for the County of San Francisco, CA., deposition testimony December 2008

Charles Heath Leiber vs. IE Miller Service L.P., IE Miller-Fowler L.L.C., and Noah Charles Lawson, In the District Court 12th Judicial District of Grimes County, Texas, deposition testimony November 2008

Billy Ray Tratree vs. B.P. Pipelines, Inc., Kelley Gleason and Roy Bowden, in the United States District Court for the Southern District of Texas, deposition testimony November 2008

Doris H. Gray, a married woman, vs. MOTOROLA, INC., a Delaware Corporation, In the Superior Court in and for Maricopa County in the State of Arizona, deposition testimony November 2008

Esteban Barron vs. Larry Paul Hatter, Jr., And Estes Express Lines d/b/a Estes Express Lines, Inc., In The District Court, 146Th Judicial District, Bell County, Texas, deposition testimony October, 2008

UNIVAR USA, Inc., vs. Stacey B. Blanton, In The District Court Harris County, Texas 61st Judicial District, deposition testimony August 2008

Pedro Gonzalez vs. City Of San Antonio, Acting By And Through It's Agent, City Public Service Board d/b/a CPS Energy, In The District Court 225th Judicial District Bexar County, trial testimony, San Antonio, Texas, August 2008

Al Scott, Individually And As Administrator Of The Estate Of Dottie Scott, Deceased, And Susan Scott And Sherri Scott Vs. Sandip V.Mathur, M.D. And Abilene Regional Medical Center In The 42nd Judicial District Court of Taylor County Texas, deposition testimony, April 2008

International Association Of Firefighters, LOCAL 629 AFL-CIO, et al vs. City Of Monroe, in the United States District Court, Western District Of Louisiana, Monroe Division, deposition testimony, March 2008

Jennifer Jarmon and, Cassius Jarmon, Individually and as Co-Administrators of the estate of Cassidy Jarmon, Deceased, and as Next Friends to Callie Jarmon, a minor child vs. Delbert J. Davison, Old American County Mutual, Prine Towing and Recovery,

Inc. COPART, Inc., and DaimlerChrysler Corporation, In the District Court, 412th Judicial District, Johnson County, Texas, deposition testimony, February 2008

Veronica Ramirez Aguilar, Individually, as representative of the estate of Mario Islas Minero, and on behalf of all wrongful death beneficiaries vs. Heart Employee Leasing, Inc. D/B/A and Heart HR, and S and D Plumbing- Taylor LLC, In the District Court of Travis County, Texas, 353rd Judicial District, deposition testimony, January 2008

Rolando Garcia vs. Design Werks, Inc., In the District Court of Travis County, 98th Judicial District, deposition testimony, January 2008

Wilford Vogt, James P. Gauthier, and Humberto Reyna, Jr., for themselves and all others similarly-situated United States District Court, for the Northern District Of Texas Dallas, Dallas Division vs. Texas Instruments Incorporated, deposition testimony, November 2007

Randall Barnett, In The District Court, 353RD Judicial District vs. City Of Austin, Powell Austin Properties, Ltd., Powell Holdings, Inc., Makota, Inc., And Alejandro Herrera, Travis County, Texas, deposition testimony November 2007

Cynthia S. Escamilla vs. United Services Automobile Association, a Reciprocal, and Michael Barry, arbitration November 2, 2007

Cynthia S. Escamilla vs. United Services Automobile Association, a Reciprocal, and Michael Barry, deposition testimony October 8, 2007

Jesus F. Diaz, Individually, as next friend of Marco A. Montoya and Racquel A. Diaz, minors and as dependent Co-Administrator of the Estate of Maria E. Diaz; James L. Caldwell, as dependent Co-Administrator of the Estate of Maria E. Diaz; Alejandro E. Diaz' and Isidora Gonzales vs. General Motors Company, Autonation USA d/b/a Champion Chevrolet, H. E. Butt Grocery Company and Gilbert E. Delgado III in the Probate Court, Travis County Texas, deposition testimony August 7, 2007

Angela Kay Warden, and husband, Brent Warden vs. Wendell B. Ashby, MD, In The 108th District Court, Potter County, Texas, trial testimony May 23, 2007

Angela Kay Warden, and husband, Brent Warden vs. Wendell B. Ashby, MD, In The 108th District Court, Potter County, Texas, deposition testimony May 15, 2007

Case No. CIV-06-CV-0308 BB, William Montano and Doris Lucero vs. Christmas By Krebs Corp., In The United States District Court For The District Of New Mexico, deposition testimony March 13, 2007

No. 05-04497-D; Daniel J. Davis, III and Yvonne Davis vs. Worthy Warnack, M.D., Britt T. Daniel, M.D. and Margaret Hollar, D.O.; In the District Court Dallas County, Texas 95th Judicial District, deposition testimony February 13, 2007

Civil Action No. H-04-3575; Julian James, Individually, Daphne Bates Harrison, et al. vs. Harris County Sheriff's Department, et al, In the United States Court for the Southern District of Texas, Houston Division, trial testimony January 2007

Sheila K. Robinson, Plaintiff, in the District Court of Brazos

County, Texas vs. Texas A&M University, Defendant in the 85th Judicial District, College Station, Texas, trial testimony Jan. 11, 2007

Viridiana Mata, Individually and Alejandro Rodriguez Individually, and all on Behalf of Genoveva Rodriguez, a Minor v. Mission Hospital and Heather A. Daley, M.D. 370th Judicial District in the District Court of Hidalgo County, Texas, deposition testimony December 2006

Civil Action No. H-03-954; Billy Ray Tratree v. B.P. Pipelines, Inc.; In the United States District Court for the Southern District of Texas Houston Division, trial testimony October 27, 2006

Civil Action No. H-04-3576; Julian James, Individually; Daphne Bates Harrison, Individually, et al. v. Harris County Sheriff's Department and William Wilkinson; In the United States District Court for the Southern District of Texas Houston Division, deposition October 17, 2006

Texas Health and Human Services Commission, Medicaid and other Health and Human Services Fraud and Abuse Program Integrity - Legal Action Relating to Dr. Turner Lewis, M.D., administrative hearing September 26, 2006

Civil Action No. H-03-954; *Billy Ray Tratree v. B.P. Pipelines, Inc.*; In the United States District Court for the Southern District of Texas Houston Division, trial testimony August 2006

Civil Action No. H-04-3576; Julian James, Individually, Daphne Bates Harrison, et al. vs. Harris County Sheriff's Department, et al. In the United States Court for the Southern District of Texas, Houston Division, deposition March 2006

Michael Gibson v. Ondo Nalco Energy Services, Inc. and Ondo Nalco Company In the United States District Court for the Southern District of Texas, Houston Division, trial testimony February 2006

Frederick L. Risker vs. Mahnaz Naveed Shah, M.D., Kelsey -Seybold Medical Group, P.A., and Gramercy Surgery Center, Ltd. D/B/A Gramercy Outpatient Surgery Center, deposition November 2005

Larry Butler and Cathy Butler, Individually and on Behalf of Brittany Butler, a minor, and Erin Ferguson v. Kyle Kennedy, Russell Kennedy, Randi K. Kennedy, and Dana Harris, deposition September 2005

Amy Adkins v. Futurion Associates, Inc., deposition August 2005

Cheryl Smith, Individually and as Guardian and Next Friend of Michelle Smith, an Incapacitated Person vs. Reyna Jean Noble, Ross Road Boring, Co., and Bobby L. Lambright, and Mark Huber, Individually and on Behalf of Jessica Huber, A Minor vs. Ross Road Boring, Co., and Bobby L. Lambright, deposition and trial August 2005

Jennifer Passi, Individually and dn/f of Gracelyn Ann and Grant Michael Passi, Minor Children and as Representative of the Estate of Michael Vincent Passi, deceased v. Dr. Emery W.

Dilling and Dr. Staton L. Awtrey; In Travis County, Texas, deposition 8/10/2005

Tanya Valdez, as next friend of Alejandro Ruben Pando, a minor and Lelia Alvarez, Individually and as representative of the estate of Ruben Pando, Jr., deceased vs. Brinker Texas, L.P. D/B/A On The Border Mexican Grill & Cantina, Brinker Chili's Texas, Inc. D/B/A On The Border Mexican Café, Brinker International, Inc, Chili's Beverage Company, Inc., and Marlene Muniz as independent administratrix and personal representative of the estate of Felipe Ornelas, Jr., deposition 2005

Vanessa Sinegaure, Individually and as a Representative of the Estate of Darnell Eugene Sineguare vs. Bally Total Fitness Corporation, et al; In the 334th Judicial District Court, Harris County, TX, deposition and trial, 2005

Jerry L. Bigelow, Individually and as Next Friend of B.B., J.N.B., J.T.B. and S.B., Minors v. Living Picture AG, Living Picture Ltd., Living Picture GmbH and New York Lighter Co., Inc.; U.S. District Court, Western District of Texas, Austin Division, deposition, 2005

Suresh Dutta vs. David Pistenmaa, In the United States District Court for the Northern District of Texas, Dallas Division, deposition and trial, 2005

Carrie Bennett, Individually as Representative of the Estate of Roy Edward Bennett, Deceased, and as Next Friend of Lane Edward Bennett, Cody Lee Bennett and April Anne Bennett vs. Stephens Martin Paving, LP, Mobile Products, Inc. D/B/A Lay-Mor ; In the District Court, Taylor County, Texas, 42nd Judicial District, deposition, 2005

Robert Edwin Wills vs. Sysco Food Services of Austin, L.P. and Rickey Charles Green In the 82nd Judicial District Court of Robertson County, Texas, deposition, 2005

Michael Gibson v. Ondeo Nalco Energy Services, Inc. and Ondeo Nalco Company; In the United States District Court for the Southern District of Texas, Houston Division, deposition, 2005

Regina Kelly, et al. v. John Paschall et al.; In the United States District Court for the Western District of Texas; Waco Division, two depositions, 2004 and 2005

Charles White vs. Technip USA Corporation and Technip, Inc.; In the 11th Judicial District Court of Harris County, Texas, deposition, 2005

Mike Arismendez and Elva Arismendez v. Covenant Health Systems d/b/a Covenant Medical Center; In the 237th District Court of Lubbock County, Texas, deposition, 2005

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